

IC 31-34-23

Chapter 23. Modification of Dispositional Decrees

IC 31-34-23-1

Motion for modification

Sec. 1. While the juvenile court retains jurisdiction under IC 31-30-2, the juvenile court may modify any dispositional decree:

- (1) upon the juvenile court's own motion;
- (2) upon the motion of:
 - (A) the child;
 - (B) the child's:
 - (i) parent;
 - (ii) guardian;
 - (iii) custodian;
 - (iv) court appointed special advocate; or
 - (v) guardian ad litem;
 - (C) the probation officer;
 - (D) the caseworker;
 - (E) the prosecuting attorney; or
 - (F) the attorney for the county office of family and children;or
- (3) upon the motion of any person providing services to the child or to the child's parent, guardian, or custodian under a decree of the court.

As added by P.L.1-1997, SEC.17. Amended by P.L.129-2005, SEC.9.

IC 31-34-23-2

Award of guardianship of child to department of correction

Sec. 2. If a child has been in the custody of the department of correction under the juvenile court's original dispositional decree, the juvenile court may not award guardianship of the child back to the department unless the juvenile court holds a hearing and finds that the child violated a modified dispositional decree.

As added by P.L.1-1997, SEC.17.

IC 31-34-23-3

Notice and hearing requirements; temporary order for emergency change in child's residence

Sec. 3. (a) If the petitioner requests an emergency change in the child's residence, the court may issue a temporary order. However, the court shall then give notice to the persons affected and shall hold a hearing on the question if requested.

(b) If the petition requests any other modification, the court shall give notice to the persons affected and may hold a hearing on the question.

As added by P.L.1-1997, SEC.17.

IC 31-34-23-4

Modification report

Sec. 4. If a hearing is required, IC 31-34-18 governs the

preparation and use of a modification report. The report shall be prepared if the state or any person other than the child or the child's parent, guardian, guardian ad litem, court appointed special advocate, or custodian is requesting the modification.

As added by P.L.1-1997, SEC.17. Amended by P.L.129-2005, SEC.10.